

Appl. No. 10/774,639  
Amdt. dated May 25, 2005  
Reply to Office action dated January 25, 2005

**AMENDMENT TO THE DRAWINGS:**

Attached are four replacement sheets including drawing amendments. These sheets replace the original sheets including Figures 1, 4, 12 and 13. The drawing amendments are addressed below in the REMARKS section of this Amendment.

Attachment: Replacement Sheets  
Annotated Sheets Showing Changes

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### **REMARKS**

In response to the Office Action mailed January 25, 2005, Applicants amend this application and request reconsideration. In this amendment, claims 1 and 17-25 are canceled and claims 26-31 are added. Accordingly, claims 2-16 and claims 26-31 are pending.

The Official Action objected to Figures 1, 12 and 13 of the drawings for omitting block diagram labels. Appropriate correction is made in this amendment.

The Official Action further objected to the drawings as failing to comply with 37 C.F.R. § 1.84(p)(5). Specifically, the Office Action asserts that reference numeral 73 does not appear in the Figures and that reference numeral 77 does not appear in Figure 4. Figure 4 is herein amended to depict reference numerals 73 and 77 thus obviating this objection.

The Office Action still further objected to the drawings under 37 C.F.R. § 1.84(p)(4) as reference numeral 71 was used to designate both a drain post and legs in Figure 4. Appropriate correction is made to Figure 4. Replacement sheets for Figures 1, 4, 12 and 13 are attached.

The Office Action objected to the specification as containing informalities. Applicant herein amends the disclosure to address many of the informalities. Applicant disagrees with the Office Action's suggestion that a comma must be inserted prior to the term "such as" in, for example, paragraph [0010], line 2. Applicant asserts that no comma is required as the phrase "such as ..." is not a parenthetical statement.

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Claims 6-10 were objected to as being dependent on a rejected base claim. Those claims were indicated to be allowable if rewritten in independent form including all of the limitation of the base claim and any intervening claims. Claim 6 is rewritten in independent form and is thereby submitted to be properly allowable. Claims 7-9 that depend from claim 6 are likewise properly allowable. Similarly, claim 9 is rewritten independent form and is thereby submitted to be properly allowable. Dependent claim 10 is likewise properly allowable.

Claims 1-5 and 11-16 were rejected under 35 U.S.C. § 103(a) as unpatentable over Shedd et al., U.S. Patent No. 6,058,763 (hereinafter Shedd) in view of Florion et al., U.S. Patent No. 5,804,705 (hereinafter Florion). Applicant requests that this rejection be withdrawn in view of this amendment.

Claim 1 is herein cancelled thus obviating its rejection. Claims 2-5 and 11-16 are amended to depend from 9 either directly or indirectly. Since claim 9 is allowable, claims 2-5 and 11-16 are likewise allowable.

Claims 17-19 and 21-24 were rejected under 35 U.S.C. § 103(a) as unpatentable over Florion in view of Shedd. Claims 20 and 25 were rejected under 35 U.S.C. §103 (a) as unpatentable over Florion in view of Shedd and further in view of Lerner et al., U.S. Patent No. 3,827,283. Claims 17-25 are herein cancelled thus obviating these rejections.

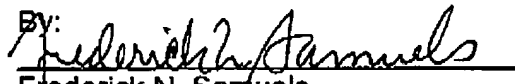
Claims 26-31 are added to more completely define the invention. Claims 26-31 are submitted to be allowable over the art of record as none of the references teach suggest or disclose the elements of those claims. Specifically none of the cited

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references teach, suggest or disclose an portable apparatus for generating behavioral signals for aquatic organisms that includes a portable housing, an exposure chamber disclosed within the housing, electrodes disposed within the exposure chamber, an amplifier and a recirculation unit that recirculates water from the outlet of the exposure chamber to the inlet of the exposure chamber.

In view of the foregoing amendments and remarks, it is asserted that the application is in condition for allowance. Reconsideration of the rejection and favorable action on the merits are respectfully requested.

Respectfully submitted,

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